

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his capacity as court-appointed Chapter 11 Trustee for LLS America, LLC,

Plaintiff,

v.

DAVID PERRY and OTHELIA SPARE,

Defendants.

NO: 2:12-CV-664-RMP

Bankr. Case No. 09-06194-PCW11

Adv. Proc. No. 11-80293-PCW11

ORDER GRANTING MOTION TO CONSOLIDATE WITH CASE NO. 2:12-CV-668-RMP

BEFORE THE COURT is Plaintiff's Motion to Consolidate this case with

Case No. 2:12-CV-668-RMP. ECF No. 32. Defendant Perry filed an objection on

March 3, 2014. ECF No. 50. The Court has reviewed the motion, Defendant

Perry's response, and the file and records therein.

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Defendant Perry argues that consolidation would be improper because his case involves a number of unique issues, such as lack of timely notice and objections to the Trustee's conduct. ECF No. 50. However, the Court finds that Defendant Perry's assertions are insufficient to show that he would be prejudiced by a consolidated bench trial. The Court finds that there are common issues of law and similar facts in both cases that warrant consolidation. *See* Fed. R. Civ. P. 42.

Accordingly, IT IS HEREBY ORDERED:

1. Plaintiff's Motion to Consolidate, ECF No. 32, is GRANTED.
 2. This case is hereby consolidated with Case No. 2:12-CV-668-RMP for trial purposes only.

The District Court Clerk is directed to enter this Order, to consolidate this case with Case No. **12:12-CV-668-RMP**, to provide copies of this Order to counsel and to any pro se defendants, and **CLOSE** case number 2:12-CV-664-RMP.

DATED this 17th day of March 2014.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Chief United States District Court Judge

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